In re Application of:

Chien et al. Application No.: 10/705,791 Filed: November 10, 2003

Page 2

Attorney Docket No.: ST-UCSD3230-1

PATENT

## Amendments to the Claims:

Please amend claim 18 and add new claims 36-38, as indicated below in the listing of claims

This listing of claims will replace all prior versions, and listings, of claims in the application.

## Listing of Claims:

- 1-17. (Cancelled).
- (Currently Amended) A method for treating a loss of cardiac muscle contractility associated with heart failure comprising:

delivering an expression construct to myoeytes cardiomyocytes in a mammalian host suffering from heart failure, wherein the expression construct provides an expressible polynucleotide encoding a phospholamban molecule having a point mutation consisting of S16E, wherein expression of a therapeutic level of the polynucleotide stimulates improved cardiac muscle contractility.

- (Previously Presented) The method according to claim 18, wherein the expression construct is a viral vector.
  - 20-23. (Cancelled).
- (Previously Presented) The method according to claim 19, wherein the viral vector is a DNA vector.
  - 25. (Withdrawn). The method as in claim 18, wherein the coding sequence is RNA.
  - 26. (Withdrawn) A method for treatment of heart failure comprising:

In re Application of:

Chien et al. Application No.: 10/705,791 Filed: November 10, 2003

Page 3

PATENT
Attorney Docket No.: ST-UCSD3230-1

delivery of a DNA construct to heart comprising a coding sequence for an antisense phospholamaban RNA wherein transcription of the coding sequence is controlled by a promoter functional in heart and the antisense phospholamban RNA increases cardiac contractility or cardiac relaxation.

- (Withdrawn) The method as in claim 26, wherein the coding sequence is delivered using a viral vector.
- (Withdrawn) The method as in claim 26, wherein the coding sequence is delivered by injection into the heart.
- (Withdrawn) The method as in claim 26, wherein the coding sequence is delivered by direct injection into the heart.
- (Withdrawn) The method as in claim 26, wherein the coding sequence is delivered by transcoronary injection into the heart.
  - 31. (Withdrawn) The method as in claim 26, wherein the coding sequence is DNA.
  - 32-35. (Cancelled)
- (New) A method for treating a loss of cardiac muscle contractility associated with heart failure comprising:

delivering, via intracoronary administration, an expression construct to cardiomyocytes in a mammalian host suffering from heart failure, wherein the expression construct provides an expressible polynucleotide encoding a phospholamban molecule having a point mutation consisting of S16E, wherein expression of a therapeutic level of the polynucleotide stimulates improved cardiac muscle contractility. In re Application of: Chien et al.

Application No.: 10/705,791 Filed: November 10, 2003 Attorney Docket No.: ST-UCSD3230-1

PATENT

Filed: November 10, 2003 Page 4

37. (New) The method according to claim 36, wherein the expression construct is a viral vector.

38. (New) The method according to claim 37, wherein the viral vector is a DNA vector.